

REMARKS

Claims 1, 5, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schiff (U.S. Patent No. 6,449,463) in view of Lee (U.S. Patent No. 6,690,944).

Independent Claim 1 has been amended to include the limitations of dependent claim 2. Claim 2 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants submit that claim 1 is now allowable.

With respect to Independent claim 5, the Examiner states that Schiff teaches the limitations of obtaining a frame quality indicator (column 6, lines 38-48); and if the frame quality indicator is equal to a logic one for an adaptively determined amount of consecutive frames, decreasing the OLT (column 6, lines 38-48 and column 7, lines 7-15). The Examiner cites Lee as teaching a target frame error rate (column 9, lines 6-26).

Applicant respectfully disagrees. Schiff teaches the use of a frame quality indicator as input to decide whether to increase or decrease the SNR threshold (column 6, lines 36 – 48). Schiff also teaches decreasing the SNR threshold by a predetermined amount if no errors are present in the current frame (column 7, lines 1 – 4) and increasing the SNR threshold if errors are present in the current frame and the previous N frames contain no errors (column 7, lines 4 – 18). Neither Schiff, nor Lee, alone or in combination teaches "if the frame quality indicator is equal to a logic one for an adaptively determined amount of consecutive frames, decreasing the OLT." In other words, in the present invention of claim 5, the OLT is decreased only after a number of consecutive frames are received without error and the number of frames is determined adaptively.

With respect to Independent claim 10, the Examiner states that Schiff teaches the limitations of obtaining a frame quality indicator (column 6, lines 38-48); and if the frame quality indicator is not equal to a logic zero and the frame quality indicator is not equal to a logic one for an adaptively determined amount of consecutive frames, adjusting the OLT according to a comparison of a

fadeDepth(i) and a fadeDepth(l-1) (column 8, lines 6-16 and column 8, lines 22-29). The Examiner cites Lee as teaching a target frame error rate (column 9, lines 6-26).

Applicant respectfully disagrees. Schiff teaches that if a preselected number of Z frames have not passed before the last increase of the SNR threshold, increasing the SNR threshold is not allowed and gradual decrease of the SNR threshold is applied (column 8, lines 6 – 16). Schiff also teaches that a high-pass filter is applied to the SNR measurement to generate the “fading rate” (column 8, 22 – 29). This is simply not the same as the claim 10 limitation of “if the frame quality indicator is not equal to a logic zero and the frame quality indicator is not equal to a logic one for an adaptively determined amount of consecutive frames, the OLT is adjusted according to a comparison of a fadeDepth(i) and a fadeDepth(l-1).”

Claims 11 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states that it is not understood what is meant by “floatDelta.” Claims 11 and 12 have been amended to recite that floatDelta is a predefined constant.

In view of the foregoing amendments and remarks, Applicant submits that independent claims 1, 5 and 10 and amended dependent claims 11 and 12 are in condition for allowance. Applicant also submits that dependent claims 3-4 and 6-9 are in condition for allowance, at least by virtue of their dependency on claims 1 and 5, respectively. Applicant requests the reconsideration and reexamination of this application and the timely allowance of the pending claims.


Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,
Bi Hao, et al.

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: 22917

By: 
Lalita W. Pace
Attorney for Applicant
Registration No.: 39,427
Telephone: 847-538-5855
Fax: 847-576-3750